



California Regional Water Quality Control Board

San Diego Region

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Governor

9174 Sky Park Court, Suite 100, San Diego, California 92123-4353
(858) 467-2952 • Fax (858) 571-6972
[http:// www.waterboards.ca.gov/sandiego](http://www.waterboards.ca.gov/sandiego)

May 12, 2006

CERTIFIED MAIL-RETURN RECEIPT REQUESTED
7004 0750 0001 2969 2776

In reply refer to:
CAU:10-00013932.02:RStewart

Mr. Paul H. Sweeney, Sr., President
Active Auto Dismantling, Inc.
2812 Commercial Street
San Diego, California 92113

Dear Mr. Sweeney:

**SUBJECT: ADMINISTRATIVE CIVIL LIABILITY COMPLAINT NO. R9-2006-0048
AGAINST ACTIVE AUTO DISMANTLERS, INC. FOR VIOLATION OF
STATE BOARD ORDER NO. 97-03-DWQ**

Enclosed find Administrative Civil Liability Complaint No. R9-2006-0048 against Active Auto Dismantlers, Inc. The Complaint, in the amount of \$3,000, is for violations of the monitoring and reporting requirements of Order No. 97-03-DWQ, National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000001, Waste Discharge Requirements for Discharges of Storm Water Associated With Industrial Activities Excluding Construction Activities (General Permit). A detailed discussion of the alleged violations and the rationale for the proposed penalty amount are contained in the attached, Technical Analysis for Complaint No. R9-2006-0048.

Active Auto Dismantlers, Inc. may waive its right to a hearing before the Regional Board. Waiver of the hearing constitutes admission of the validity of the allegation of violations in the Complaint and acceptance of the assessment of civil liability in the amount of \$3,000 as set forth in the Complaint. Be aware that if Active Auto Dismantlers, Inc. intends to waive its right to a hearing before the Regional Board, you or an authorized agent are required to:

Submit a cashier's check made payable to the State Water Resources Control Board for the full amount of civil liability of \$3,000 with the signed waiver form.

If Active Auto Dismantlers, Inc. does not elect to waive its right to a public hearing, a public hearing on this matter will be scheduled before the Regional Board at its meeting on August 9, 2006 at the Regional Board Meeting Room, 9174 Sky Park Court, San Diego, California. An agenda, with procedures for the hearing will be mailed to you not less than 10 days before the hearing date. At the hearing the Regional Board will determine the validity of the allegations and, if the allegations are found to be true, will

California Environmental Protection Agency

Mr. Paul H. Sweeney, Sr.
Active Auto Dismantlers, Inc.
Complaint No. R9-2006-0048

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May 12, 2006

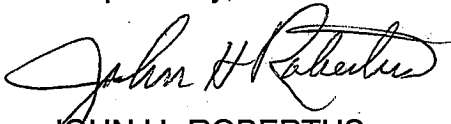
consider whether to assess civil liability in the amount proposed by the Complaint, or in some other amount.

If Active Auto Dismantlers, Inc. intends to present any written evidence at the hearing in response to Complaint No. R9-2006-0048, it must be received by 5:00 p.m. Friday, July 21, 2006, in order to be considered by the Regional Board at the public hearing. Please submit twenty (20) copies of any response, including evidentiary exhibits. Copies of material submitted will be forwarded to the Regional Board Members prior to the hearing.

The heading portion of this letter includes a Regional Board code number noted after "In reply refer to:" In order to assist us in the processing of your correspondence please include this code number in the heading or subject line portion of all correspondence and reports to the Regional Board pertaining to this matter.

If you have any questions regarding this matter please contact Rebecca Stewart at (858) 467-2966 or Rstewart@waterboards.ca.gov.

Respectfully,


JOHN H. ROBERTUS
Executive Officer

JHR:mpm:mja:rls

Enclosures: (1) Complaint No. R9-2006-0048
(2) Technical Analysis for Complaint No. R9-2006-0048
(3) Waiver of Public Hearing Form

cc: John Richards, Office of Chief Counsel, State Water Resources Control Board (via e-mail)

Greg Gearheart, Division of Water Quality, State Water Resources Control Board (via e-mail)

Kathi Moore, U.S. Environmental Protection Agency, Criminal Investigations Division, 75 Hawthorne Street, WTR-7, San Francisco, CA 94105-3901 (with enclosures)

Ms. Mickey Daggett, Environmental Compliance Management Services, 9437 Elm Street, Orangevale, CA 95662 (with enclosures)

California Environmental Protection Agency